

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
JEANNETTE FULLER HAUSLER, et al., :  
  
Petitioner, :  
  
-against- :  
  
JPMORGAN CHASE BANK, N.A., et al., :  
  
Garnishee-Respondents. :  
  
X : 09 Civ. 10289 (VM)  
: ECF Case  
  
----- X : Related to JPM Chase/Citibank  
JPMORGAN CHASE BANK, N.A., et al., : Turnover Proceeding  
  
Garnishee-Respondents and : In Respect of a Judgment  
Third-Party Petitioners : Entered in the State of Florida,  
: Case No. 02-12475-CA-09  
  
-against- :  
  
BANCO FINANCIERO INTERNACIONAL :  
S.A., et al., :  
  
Adverse Claimants- :  
Respondents. :  
  
----- X

**MOTION TO ADMIT COUNSEL PRO HAC VICE**  
  
PLEASE TAKE NOTICE that Adverse Claimant-Respondent Estudios Mercados y  
Suministros S.L. and named (but not yet served) Adverse Claimant-Respondent Philips  
Mexicana S.A. de C. V. move this Court for an order, pursuant to Local Civil Rule 1.3(c) of the  
Rules of the United States District Court for the Southern District of New York, admitting James

MAR 18 2011

NY 930372

2011 MAR 18 PM 2:25  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

D. Pagliaro, Esquire *pro hac vice* to the Bar of this Court for the purpose of appearing and participating in the above-captioned action.

Applicant's Name:	James D. Pagliaro, Esquire
Firm Name:	Morgan, Lewis & Bockius LLP
Address:	1701 Market Street
City/State/Zip:	Philadelphia, PA 19103
Phone Number:	(215) 963-5000
Fax Number:	(215) 963-5001
Email Address:	jpagliaro@morganlewis.com

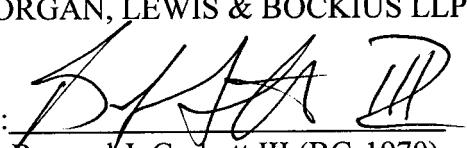
Mr. Pagliaro is a member in good standing of the bar of the Commonwealth of Pennsylvania. There are no pending disciplinary proceedings against Mr. Pagliaro in any State or Federal court.

In support of this motion, adverse claimant-respondent Estudios Mercados y Suministros S.L. and named (but not yet served) adverse claimant-respondent Philips Mexicana S.A. de C.V. submit herewith the affidavit of Bernard J. Garbutt III, sworn to on March 17, 2011.

Dated: New York, New York  
March 17, 2011

MORGAN, LEWIS & BOCKIUS LLP

By:



Bernard J. Garbutt III (BG-1970)  
101 Park Avenue  
New York, New York 10178-0060  
Tel: 212.309.6000  
Fax: 212.309.6001

*Attorneys for Adverse Claimant Respondent  
Estudios Mercados y Suministros S.L. and  
Named (but not yet served) Adverse Claimant -  
Respondent Philips Mexicana S.A. de C.V.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
JEANNETTE FULLER HAUSLER, et al., :  
  
Petitioner, :  
  
-against- :  
  
JPMORGAN CHASE BANK, N.A., et al., :  
  
Garnishee-Respondents. :  
: 09 Civ. 10289 (VM)  
: ECF Case  
  
----- X Related to JPM Chase/Citibank  
: Turnover Proceeding  
  
JPMORGAN CHASE BANK, N.A., et al., : In Respect of a Judgment  
Garnishee-Respondents and : Entered in the State of Florida,  
Third-Party Petitioners : Case No. 02-12475-CA-09  
  
-against- :  
  
BANCO FINANCIERO INTERNACIONAL :  
S.A., et al., :  
  
Adverse Claimants- :  
Respondents.

**AFFIDAVIT OF BERNARD J. GARBUTT III  
IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE**

I, BERNARD J. GARBUTT III, an attorney admitted to practice law in the United States District Court for the Southern District of New York, being duly sworn, hereby deposes and says the following:

1. I am a partner with the law firm of Morgan, Lewis & Bockius LLP ("Morgan Lewis"), counsel for adverse claimant-respondent Estudios Mercados y Suministros S.L. and named (but

not yet served) adverse-claimant respondent Philips Mexicana S.A. de C.V. in the above-captioned action. I submit this affidavit in support of the motion to admit James D. Pagliaro, Esquire as counsel *pro hac vice* to represent adverse claimants-respondents Estudios Mercados y Suministros S.L. and named (but not yet served) adverse claimant-respondent Philips Mexicana S.A. de C.V. in this matter.

2. I am a member in good standing of the bar of the State of New York, and I was admitted to practice law in 1991. I am also admitted to the bar of the United States District Court for the Southern District of New York, and I am in good standing with this Court.

3 Mr. Pagliaro is a colleague of mine and a partner in the Philadelphia, Pennsylvania office of Morgan, Lewis & Bockius LLP.

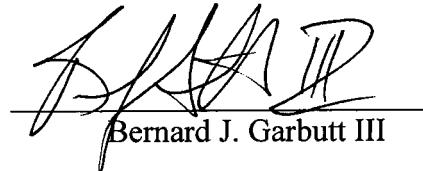
4. Mr. Pagliaro has been a member of the bar of the Commonwealth of Pennsylvania since 1976, and is a member in good standing of that bar. Mr. Pagliaro's certificate of good standing is attached hereto as Exhibit "A."

5. I know Mr. Pagliaro to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of James D. Pagliaro, Esquire *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of James D. Pagliaro, Esquire *pro hac vice*, which is attached hereto as Exhibit "B."

**WHEREFORE** it is respectfully requested that the motion to admit James D. Pagliaro, Esquire *pro hac vice*, to represent adverse claimant respondent Estudios Mercados y Suministros S.L. and named (but not yet served) adverse claimant-respondent Philips Mexicana S.A. de C.V. in the above-captioned matter, be granted.

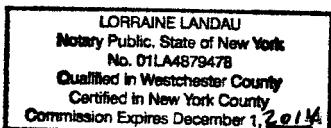


Bernard J. Garbutt III

Sworn to before me this 18<sup>th</sup> day  
of March 2011



Lorraine Landau  
Notary Public



# **EXHIBIT A**



Supreme Court of Pennsylvania

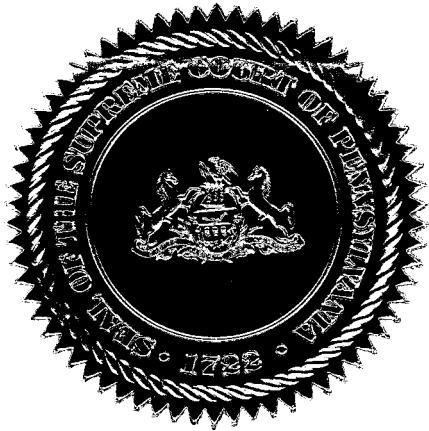
**CERTIFICATE OF GOOD STANDING**

*James D. Pagliaro, Esq.*

**DATE OF ADMISSION**

*November 1, 1976*

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**  
**Dated: March 10, 2011**

A handwritten signature in black ink that appears to read "Patricia A. Johnson".

Patricia A. Johnson  
Chief Clerk

# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
JEANNETTE FULLER HAUSLER, et al., :  
Petitioner, :  
-against- :  
JPMORGAN CHASE BANK, N.A., et al., :  
Garnishee-Respondents. :  
: 09 Civ. 10289 (VM)  
: ECF Case  
----- X Related to JPM Chase/Citibank  
JPMORGAN CHASE BANK, N.A., et al., : Turnover Proceeding  
Garnishee-Respondents and : In Respect of a Judgment  
Third-Party Petitioners : Entered in the State of Florida,  
Case No. 02-12475-CA-09  
-against- :  
BANCO FINANCIERO INTERNACIONAL :  
S.A., et al., :  
Adverse Claimants- :  
Respondents.

**[PROPOSED] ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION**

Upon the motion of adverse claimant respondent Estudios Mercados y Suministros S.L. and named (but not yet served) adverse claimant-respondent Philips Mexicana S.A. de C.V., and the affidavit of Bernard J. Garbutt III, sworn to on March , 2011, in support thereof:

**IT IS HEREBY ORDERED** that:

Applicant's Name: James D. Pagliaro, Esquire  
Firm Name: Morgan, Lewis & Bockius LLP  
Address: 1701 Market Street  
City/State/Zip: Philadelphia, PA 19103  
Phone Number: (215) 963-5000  
Fax Number: (215) 963-5001  
Email Address: [jpagliaro@morganlewis.com](mailto:jpagliaro@morganlewis.com)

is admitted to practice *pro hac vice* as counsel for adverse-claimant respondent Estudios Mercados y Suministros S.L. and named (but not yet served) adverse-claimant respondent Philips Mexicana S.A. de C.V. in the above-captioned action in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Counsel shall immediately apply for an Electronic Case Filing (ECF) system password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York  
March \_\_\_, 2011

---

Victor Marrero  
United States District Judge

**CERTIFICATE OF SERVICE**

I, Ramin Afshar-Mohajer, hereby certify that on March 18, 2011, I served a true and correct copy of the foregoing Motion to Admit Counsel Pro Hac Vice and Affidavit of Bernard J. Garbutt III in Support of same upon the following via U.S. Mail and electronic mail.

James L. Kerr  
DAVIS POLK & WARDELL LLP  
450 Lexington Avenue  
New York, NY 10017

*Attorneys for Garnishee-Respondents and Joint Third Party Petitioners JP Morgan Chase Bank, N.A., Citibank, N.A., USB AG, The Royal Bank of Scotland N.V. (formerly known as ABN AMRO Bank N.V.) and Bank of America, National Association*

James W. Perkins  
GREENBERG TRAURIG, LLP  
200 Park Avenue, 38th Floor  
New York, NY 10166

*Attorneys for Petitioner and Adverse Claimant-Respondent Jeannette Fuller Hausler, et al.*



Ramin Afshar-Mohajer